



The Journal OF THE *House of Representatives*

Number 7

Thursday, March 14, 2013

Introduction and Reference

By Representative **Gibbons**—

HB 1415—A bill to be entitled An act for the relief of Ronald Miller by the City of Hollywood; providing for an appropriation to compensate him for injuries sustained as a result of the negligence of the City of Hollywood; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of Publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance & Banking Subcommittee; Representative **Nelson**—

HB 7093—A bill to be entitled An act relating to the establishment of a clearinghouse program within the Citizens Property Insurance Corporation; amending s. 626.752, F.S.; exempting Citizens Property Insurance Corporation from exchange of business limitations and restrictions when placing business with authorized insurers; creating s. 627.3518, F.S.; providing definitions; requiring the creation of a clearinghouse program within the corporation; specifying the purposes of the program; specifying certain rights and responsibilities with respect to the program; authorizing the corporation to take specified actions in establishing the program; providing conditions and requirements relating to the participation of insurers in the program; providing conditions, requirements, limitations, and procedures applicable to offers of coverage with respect to applicants for coverage with the corporation and existing policyholders of the corporation; providing requirements for certain independent insurance agents and exclusive agents with respect to submitting applications for coverage or policies for renewal to the program; requiring the corporation to publish standards by a certain date for recognition of private entities as an alternative option to submitting risks to the program; providing conditions and requirements relating to such alternative options; providing for construction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance & Banking Subcommittee; Representative **Nelson**—

HB 7095—A bill to be entitled An act relating to public records; amending s. 627.3518, F.S.; providing an exemption from public records requirements for all underwriting guidelines, manuals, rating information, and other underwriting criteria or instructions submitted by an insurer to the corporation's policyholder eligibility clearinghouse program which are used to identify and select risks from the program; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

First Reading of Committee and Subcommittee Substitutes by Publication

By the K-12 Subcommittee; Representative **Stark**—

CS/HB 127—A bill to be entitled An act relating to meetings of district school boards; amending s. 1001.372, F.S.; requiring district school boards to convene at least one regular meeting each quarter within a school year during the evening hours and to create criteria for convening such a meeting; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health Quality Subcommittee; Representatives **Renuart** and **Campbell**—

CS/HB 349—A bill to be entitled An act relating to treatment programs for impaired licensees and applicants; amending s. 456.076, F.S.; exempting an entity retained by the Department of Health as an impaired practitioner consultant from certain licensure requirements; authorizing impaired practitioner consultants to contract with schools or programs to provide services to impaired students who are enrolled for the purpose of preparing for licensure as a specified health care practitioner or as a veterinarian; limiting the liability of those schools or programs when they refer a student to an impaired practitioner consultant; providing that the impaired practitioner consultant is the official custodian of records relating to the referral of the licensee or applicant to the consultant and any other interaction between them; clarifying the circumstances under which an impaired practitioner consultant may disclose certain information concerning an impaired licensee or applicant; authorizing the Department of Health and others that contract with an impaired practitioner consultant to have administrative control over the consultant to the extent necessary to receive disclosures allowed under federal law; authorizing an impaired licensee or applicant to obtain confidential information from the department regarding a pending disciplinary proceeding; amending ss. 458.331 and 459.015, F.S.; conforming cross-references; creating s. 468.315, F.S.; providing that radiological personnel are subject to a treatment program for impaired licensees; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Justice Appropriations Subcommittee; and Criminal Justice Subcommittee; Representatives **Stone, Baxley, Hood, Pilon, and Van Zant**—

CS/CS/HB 489—A bill to be entitled An act relating to railroad police officers; amending s. 354.01, F.S.; requiring special officers employed by a railroad or other common carrier to comply with specified continuing training or education requirements; providing that a special officer is not considered a "law enforcement officer" except for specified purposes; providing that a Class I or II railroad is not considered an "employing agency" except for specified purposes; providing responsibility for payment of certain costs associated with the employment of special officers; amending s. 784.07, F.S.; defining the term "railroad special officer"; providing for reclassification of certain offenses committed against a railroad special officer; amending s. 943.10, F.S.; including special officers employed by a railroad or other common carrier within the definition of "law enforcement officers" and including certain railroads within the definition of "employing agency," for purposes of specified provisions relating to law enforcement officer standards; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the K-12 Subcommittee; Representatives **Fullwood and Fasano**—

CS/HB 609—A bill to be entitled An act relating to bullying in the public school system; amending s. 1006.147, F.S.; revising provisions prohibiting bullying or harassment of a student or school employee through the use of computer-related activities; prohibiting bullying or harassment through the use of data or computer software that is accessed at a nonschool-related location or activity if certain conditions are met; providing that bullying includes cyberbullying; defining the terms "cyberbullying" and "within the scope of a public K-12 educational institution"; requiring that each school district include in its districtwide policy instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action; requiring that any complaint of a computer-related incident be investigated by a school district official using a computer on which web-filtering software is not installed; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Tourism Subcommittee; Representatives **Hudson, Combee, and Porter**—

CS/HB 663—A bill to be entitled An act relating to the Economic Gardening Technical Assistance Program; amending s. 288.1082, F.S.; expanding the Economic Gardening Technical Assistance Pilot Program into a statewide program; requiring the Department of Economic Opportunity to contract with the Florida Economic Gardening Institute at the University of Central Florida to administer the program; revising and providing eligibility requirements for the program; providing definitions; amending s. 288.1081, F.S.; conforming references to the Economic Gardening Technical Assistance Pilot Program to changes made by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Business & Professional Regulation Subcommittee; Representative **La Rosa**—

CS/HB 795—A bill to be entitled An act relating to premises inspections; amending s. 509.032, F.S.; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules for a risk-based inspection frequency for licensed public food service establishments; providing criteria; conforming terminology; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal Justice Subcommittee; Representative **Passidomo**—

CS/HB 829—A bill to be entitled An act relating to mandatory supervision for violent offenders; providing legislative intent; amending s. 944.291, F.S.; specifying that certain offenders may only be released under mandatory supervision; amending s. 947.1405, F.S.; redesignating conditional release as mandatory supervision; specifying that certain offenders may only be released under mandatory supervision; conforming provisions; requiring the Parole Commission and the Department of Corrections to develop a report to track offenders placed on mandatory supervision and the rate of return of offenders to prison for a new crime or a technical violation of probation; amending ss. 216.136, 394.926, 394.927, 775.084, 775.16, 775.21, 775.261, 893.11, 943.0435, 943.325, 944.171, 944.28, 944.291, 944.606, 944.607, 944.608, 944.70, 945.36, 947.071, 947.13, 947.141, 947.16, 947.22, 947.24, 948.09, 948.11, 948.32, and 957.06, F.S.; conforming provisions to changes made by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Higher Education & Workforce Subcommittee; Representative **Spano**—

CS/HB 863—A bill to be entitled An act relating to teacher preparation and accountability; amending s. 1004.04, F.S.; revising provisions relating to state-approved teacher preparation programs and accountability therefor; revising the uniform core curricula for each program and providing for candidate assessment; revising standards and criteria for initial and continued program approval; requiring each program to prepare an institutional program evaluation plan; providing requirements for annual reports to the state and the general public; revising requirements for personnel who supervise teacher preparation students during preservice field experience; deleting provisions relating to certain standards of excellence, national standards, articulation agreements, and a program to provide experience as a teacher assistant; amending s. 1004.85, F.S.; authorizing a private provider to create an educator preparation institute if approved by the Department of Education; providing criteria for initial and continued approval of an institute's competency-based certification program; providing requirements and credentials for program participants; providing requirements for supervisors of field experiences; amending s. 1012.32, F.S.; conforming provisions; amending s. 1012.56, F.S.; authorizing rules to allow for acceptance of certain college course credits for educator certification; providing components for a school district competency-based professional development certification program; providing requirements for initial and continued approval of programs; revising provisions for applicant review of an educator certification examination; amending s. 1012.585, F.S.; correcting a cross-reference; amending s. 1012.98, F.S.; revising requirements for professional development systems developed by school districts; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal Justice Subcommittee; Representatives **Núñez and Van Zant**—

CS/HB 953—A bill to be entitled An act relating to warrants; amending s. 901.02, F.S.; specifying when an arrest warrant may be issued; authorizing a judge to electronically sign an arrest warrant if certain conditions are met; providing that an arrest warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term "electronic signature"; amending s. 933.07, F.S.; authorizing a judge to electronically sign a search warrant if certain conditions are met; providing that a search warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term "electronic signature"; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health Quality Subcommittee; and Criminal Justice Subcommittee; Representatives **Kerner, Gaetz, Hood, Pilon, Raschein, Saunders, Slosberg, and Spano**—

CS/HB 7005—A bill to be entitled An act relating to massage establishments; amending s. 480.043, F.S.; requiring the denial of an application for a massage establishment license in certain circumstances; amending s. 480.046, F.S.; providing additional grounds for the denial of a license or disciplinary action; amending s. 480.047, F.S.; revising penalties; creating s. 480.0475, F.S.; prohibiting the operation of a massage establishment during specified times; providing exceptions; prohibiting the use of a massage establishment as a principal domicile unless the establishment is zoned for residential use under a local ordinance; providing penalties; amending s. 480.052, F.S.; authorizing a county or municipality to waive massage establishment operating hours restrictions during certain special events; amending s. 823.05, F.S.; declaring that a massage establishment operating in violation of specified statutes is a nuisance that may be abated or enjoined; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Agriculture & Natural Resources Appropriations Subcommittee; and Business & Professional Regulation Subcommittee; Representative **Cummings**—

CS/HB 7023—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; transferring, redesignating, and amending s. 525.09(1), F.S.; transferring collection of a motor fuel inspection fee from the Department of Agriculture and Consumer Services to the Department of Revenue; amending s. 493.6101, F.S.; revising the definition of the term "repossession"; amending s. 493.6113, F.S.; revising firearms recertification training requirements for specified licenses of the private security, private investigative, and repossession industries; amending s. 493.6116, F.S.; deleting a provision prohibiting specified licensees from sponsoring certain interns; requiring interns to perform regulated duties within the state; amending s. 493.6118, F.S.; providing additional grounds for disciplinary action against firearm licensees; amending s. 493.6120, F.S.; providing criminal penalties for a person who knowingly obtains a fraudulent document declaring a licensure applicant to have completed specified training; amending s. 496.405, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by charitable organizations and sponsors; amending s. 496.406, F.S.; exempting specified organizations and sponsors from filing a registration statement; requiring exempt organizations and sponsors to file specified documents; providing for applicability; amending s. 496.407, F.S.; revising financial reporting requirements; amending s. 496.409, F.S.; revising registration procedures and requirements for professional fundraising consultants; amending s. 496.410, F.S.; revising registration procedures and requirements for professional solicitors; amending s. 496.411, F.S.; revising the information required to be displayed on specified solicitation materials; amending s. 496.415, F.S.; revising a provision prohibiting specified persons from submitting false, misleading, or inaccurate information related to a solicitation or a charitable or sponsor sales promotion; amending s. 496.419, F.S.; revising the responsibility of the Department of Agriculture and Consumer Services to report specified criminal violations; authorizing the department to issue a cease and desist order for specified violations; amending s. 501.016, F.S.; revising the amount of a surety bond, letter of credit, or guaranty agreement furnished to the department by a health studio; amending s. 501.059, F.S.; prohibiting a telephone solicitor from calling certain consumers; amending s. 501.603, F.S.; conforming a cross-reference; revising definitions; amending s. 501.604, F.S.; revising exemptions from specified provisions of the Florida Telemarketing Act; amending s. 501.607, F.S.; revising salesperson application requirements; amending s. 501.608, F.S.; requiring commercial telephone sellers seeking an affidavit of exemption to provide the department with certain information at the

department's request; requiring licensees and exempt persons to display certain documentation; authorizing the department to issue a cease and desist order and to order a salesperson to leave an office if the salesperson is unable to properly display or produce a license or a receipt of filing of an affidavit of exemption; amending s. 501.611, F.S.; providing that a surety bond filed with the department by a commercial telephone seller remains in force for a specified period; amending s. 501.615, F.S.; revising the contract requirements and restrictions on telephonic sales by commercial telephone sellers; amending s. 501.617, F.S.; authorizing an enforcing authority to conduct regulatory inspections; amending s. 507.03, F.S.; requiring moving brokers to provide certain information at the request of the department; amending s. 507.04, F.S.; deleting the requirement for a moving broker to maintain certain liability coverage; amending s. 507.07, F.S.; prohibiting movers and moving brokers from entering into certain service contracts with certain unregistered persons; amending s. 525.01, F.S.; revising the definition of the term "alternative fuel"; repealing s. 525.09(2)-(4), F.S., relating to the payment and applicability of an inspection fee for testing and analyzing petroleum fuels; amending s. 525.10, F.S.; deleting a provision requiring certain moneys to be paid into the State Treasury before being deposited into a specified trust fund; amending s. 527.01, F.S.; defining the term "license year" applicable to certain liquefied petroleum gas licenses; amending s. 527.0201, F.S.; revising examination requirements for applicants seeking certain licenses; revising continuing education requirements for specified qualifiers; amending s. 527.03, F.S.; revising the requirements and procedure for renewal of liquefied petroleum gas licenses; amending s. 531.415, F.S.; revising a provision exempting certain petroleum equipment from specified fees; amending s. 531.61, F.S.; revising a provision exempting certain devices from permitting requirements; creating s. 531.67, F.S., and repealing s. 40, ch. 2009-66, Laws of Florida, relating to permits for weights and measures instruments or devices, to provide for codification in the Florida Statutes of the expiration of specified provisions and extending the expiration date; amending s. 539.001, F.S.; revising fingerprinting requirements for a pawnbroker license application; amending s. 559.802, F.S.; requiring a specified notice to be filed on a form adopted by the department; amending s. 559.803, F.S.; revising the requirements of the mandatory written disclosure statement provided to purchasers of business opportunities; repealing s. 559.805, F.S., relating to mandatory filings and disclosure of advertisement identification numbers by sellers of business opportunities; amending s. 559.807, F.S.; deleting a provision providing for the use of certain securities requirements relating to selling business opportunities; amending s. 559.813, F.S.; deleting a provision authorizing the department to impose specified penalties for certain violations relating to selling business opportunities; deleting a provision authorizing the department to adopt rules; deleting a provision naming the department as an enforcing authority; amending s. 559.815, F.S.; conforming provisions to changes made by the act; amending s. 559.9221, F.S.; revising the membership of the Motor Vehicle Repair Advisory Council; amending s. 616.242, F.S.; revising amusement ride insurance coverage requirements; amending s. 721.20, F.S.; requiring specified persons who sell timeshare plans to be licensed as commercial telephone sellers or salespersons under ch. 501, F.S.; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

First-named Sponsors

HB 621—Fresen

Cosponsors

CS/HB 121—Edwards, Pilon, Van Zant

HB 129—Moskowitz, Pafford

HB 155—Cummings, Fasano

CS/HB 203—Combee, Van Zant

CS/HB 215—Campbell, McGhee

HB 301—Adkins, Pritchett, Van Zant

HB 323—Gaetz, Moraitis

CS/HB 351—Adkins

CS/HB 353—Pilon

HB 407—Pilon

HB 411—McGhee, J. Rodríguez

HB 447—Campbell

CS/HB 461—Fasano, Zimmermann

HB 469—Dudley

HB 491—Campbell

HM 545—Harrell

HB 653—Kerner

HB 689—Pafford

HB 737—Steube, Zimmermann

HB 805—Fresen

HB 887—Spano

HB 903—Clarke-Reed

HB 911—Campbell, Stewart

HB 1047—Harrell

HB 1077—Smith

HB 1097—M. Diaz, Harrell

HB 1195—Porter

HB 7091—Adkins, Coley, Nelson, Raburn

HR 9005—Ahern, Passidomo

Reports of Standing Committees and Subcommittees

Received March 13:

The Civil Justice Subcommittee reported the following favorably:
CS/HB 13

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Economic Affairs Committee.

The K-12 Subcommittee reported the following favorably:
HB 21

The above bill was transmitted to the next committee or subcommittee of reference, the Education Appropriations Subcommittee.

The K-12 Subcommittee reported the following favorably:
HB 295

The above bill was transmitted to the next committee or subcommittee of reference, the Education Appropriations Subcommittee.

The Civil Justice Subcommittee reported the following favorably:
HB 841

The above bill was transmitted to the next committee or subcommittee of reference, the Judiciary Committee.

The Civil Justice Subcommittee reported the following favorably:
HB 941

The above bill was transmitted to the next committee or subcommittee of reference, the Healthy Families Subcommittee.

The Civil Justice Subcommittee reported the following favorably:
HB 943

The above bill was transmitted to the next committee or subcommittee of reference, the Government Operations Subcommittee.

The Civil Justice Subcommittee reported the following favorably:
HB 1297

The above bill was transmitted to the next committee or subcommittee of reference, the Government Operations Subcommittee.

The Civil Justice Subcommittee reported the following favorably:
HB 7025

The above bill was transmitted to the next committee or subcommittee of reference, the Regulatory Affairs Committee.

Received March 14:

The Education Committee reported the following favorably:
CS/CS/HB 53

The above committee substitute was placed on the Calendar of the House.

The Judiciary Committee reported the following favorably:
CS/CS/HB 113

The above committee substitute was placed on the Calendar of the House.

The K-12 Subcommittee reported the following favorably:
HB 127 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 127 was laid on the table.

The Regulatory Affairs Committee reported the following favorably:
HB 145

The above bill was placed on the Calendar of the House.

The Regulatory Affairs Committee reported the following favorably:
CS/HB 167

The above committee substitute was placed on the Calendar of the House.

The Judiciary Committee reported the following favorably:
HB 191

The above bill was placed on the Calendar of the House.

The Education Committee reported the following favorably:
HB 209

The above bill was placed on the Calendar of the House.

The Insurance & Banking Subcommittee reported the following favorably:
HB 217 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 217 was laid on the table.

The Regulatory Affairs Committee reported the following favorably:
CS/HB 223

The above committee substitute was placed on the Calendar of the House.

The Health Quality Subcommittee reported the following favorably:
HB 349 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 349 was laid on the table.

The Justice Appropriations Subcommittee reported the following favorably:
CS/HB 489 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 489 was laid on the table.

The K-12 Subcommittee reported the following favorably:
HB 609 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 609 was laid on the table.

The Education Committee reported the following favorably:
HB 627

The above bill was placed on the Calendar of the House.

The Economic Development & Tourism Subcommittee reported the following favorably:
HB 663 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 663 was laid on the table.

The Local & Federal Affairs Committee reported the following favorably:
HM 763

The above memorial was transmitted to the next committee or subcommittee of reference, the State Affairs Committee.

The Business & Professional Regulation Subcommittee reported the following favorably:
HB 795 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 795 was laid on the table.

The Criminal Justice Subcommittee reported the following favorably:

HB 829 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 829 was laid on the table.

The Higher Education & Workforce Subcommittee reported the following favorably:
HB 863 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 863 was laid on the table.

The Local & Federal Affairs Committee reported the following favorably:
HB 949

The above bill was transmitted to the next committee or subcommittee of reference, the State Affairs Committee.

The Criminal Justice Subcommittee reported the following favorably:
HB 953 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 953 was laid on the table.

The Local & Federal Affairs Committee reported the following favorably:
HB 1007

The above bill was transmitted to the next committee or subcommittee of reference, the Economic Affairs Committee.

The Local & Federal Affairs Committee reported the following favorably:
HB 1027

The above bill was transmitted to the next committee or subcommittee of reference, the Education Committee.

The Local & Federal Affairs Committee reported the following favorably:
HB 4037

The above bill was transmitted to the next committee or subcommittee of reference, the State Affairs Committee.

The Local & Federal Affairs Committee reported the following favorably:
HB 4039

The above bill was transmitted to the next committee or subcommittee of reference, the State Affairs Committee.

The Health Quality Subcommittee reported the following favorably:
HB 7005 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 7005 was laid on the table.

The Agriculture & Natural Resources Appropriations Subcommittee reported the following favorably:
HB 7023 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 7023 was laid on the table.

The Judiciary Committee reported the following favorably:
HB 7035

The above bill was placed on the Calendar of the House.

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Caldwell:

Yeas—March 13: 8

Votes After Roll Call

JOURNAL OF THE HOUSE OF REPRESENTATIVES

DAILY INDICES FOR

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